

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DALE AND LETA ANDERSON,
HUSBAND AND WIFE; AND AS
TRUSTEES FOR THE ANDERSON
FAMILY TRUST,

v. Plaintiffs,

**STATE FARM FIRE AND CASUALTY
COMPANY,**

Defendant.

Case No. 3:20-CV-05119-DGE

**[PROPOSED] ORDER GRANTING
MOTION FOR STATUTORY
DAMAGES, PREJUDGMENT
INTEREST, REASONABLE
ATTORNEY FEES, AND
NONTAXABLE COSTS**

This matter came before the on Plaintiffs Dale and Leta Anderson's motion (the "Motion") for an award of statutory treble damages against Defendant State Farm Fire and Casualty Company ("State Farm") under Washington's Consumer Protection Act (CPA); (ii) to amend the judgment to include prejudgment interest on the jury's award of liquidated damages; and (iii) for an award of reasonable attorney fees and nontaxable litigation costs under the CPA and the Washington Supreme Court's decision in *Olympic Steamship Company v. Centennial Insurance Company*, 117 Wn.2d 37, 811 P.2d 673 (1991) and its progeny. The Court considered the Motion, State Farm's response, Plaintiffs' reply, and the other papers and pleadings in the Court's file, as well as the relevant legal authorities, and is fully informed.

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[PROPOSED] ORDER GRANTING MOTION FOR STATUTORY
DAMAGES, PREJUDGMENT INTEREST, ATTORNEY FEES,
AND NONTAXABLE COSTS - 1
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LANDERHOLM

205 B. J. S. + S. J. 1000

603 Broadway Street, SU
PO Box 1086

P.O. Box 1666
Vancouver, WA 98666

Now, therefore, it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. The Motion is **GRANTED**.
2. The Judgment entered in this matter is hereby **AMENDED** to include:
 - a. An award \$25,000.00 in treble damages under Washington's Consumer Protection Act, Washington Revised Code § 19.86.090;
 - b. Prejudgment interest on the jury's award of damages in the amount of \$572,750.97; and
 - c. Reasonable attorney fees and non-taxable litigation costs, in the amount of \$_____, comprised of:
 - i. \$371,958.00 in reasonable attorney fees and \$88,935.06 in non-taxable litigation costs, as of the filing of the Motion; and
 - ii. \$_____ in reasonable attorney fees and litigation costs incurred after filing of the Motion.
3. The Clerk shall issue an Amended Judgment including the amounts set forth above as well as all taxable costs set forth in Plaintiffs' Bill of Costs.

IT IS SO ORDERED this ____ day of June 2024.

Chief United States District Judge David G. Estudillo

Presented by:

LANDERHOLM, P.S.

/s/ Phillip Haberthur

JOSEPH VANCE, WSBA #25531

PHILLIP J. HABERTHUR, WSBA #38038

JASON M. ROSENBAUM, WSBA #6190

Of Attorneys for Plaintiffs Dale and Leta Anderson

[PROPOSED] ORDER GRANTING MOTION FOR STATUTORY
DAMAGES, PREJUDGMENT INTEREST, ATTORNEY FEES,
AND NONTAXABLE COSTS - 2
AND DCD00-0000022-167816742



LANDERHOLM

KIRCHER

805 Broadway S
PO Box 1006

PO Box 1086
Vancouver WA 98666

Vancouver, WA 98666
T: 360-686-3312 • F: 360-686-3122

1 **CERTIFICATE OF SERVICE**

2 I certify that I electronically filed the foregoing **[PROPOSED] ORDER**
3 **GRANTING MOTION FOR STATUTORY DAMAGES, PREJUDGMENT**
4 **INTEREST, REASONABLE ATTORNEY FEES, AND NONTAXABLE COSTS**
5 was served electronically via this Court's CM/ECF case management system, upon all
6 parties registered for such service for the above-numbered and above-captioned case, on
7 May 30, 2024.

8 */s/ Phillip Haberthur*
9 PHILLIP J. HABERTHUR, WSBA #38038

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[PROPOSED] ORDER GRANTING MOTION FOR STATUTORY
DAMAGES, PREJUDGMENT INTEREST, ATTORNEY FEES,
AND NONTAXABLE COSTS - 3
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 **LANDERHOLM**
805 Broadway Street, Suite 1000
PO Box 1086
Vancouver, WA 98666
T: 360-696-3312 • F: 360-696-2122